



*Aloha Friends and Neighbors,*

*The Opening of my first legislative session was a highlight for 2005! I am hopeful by the collegiality in the House of Representatives, and I am proud to have represented your voice in the State Capitol. I have found that many of us in the Legislature agree on the fundamental issues we face as an island economy.*

*During this session, I have brought the willingness to ask different questions, the candor to speak directly, the intention to change the angle of view, and the desire to bring a diverse range of talents and insights together in common purpose. I remain committed to working collaboratively to improve our quality of life and to participating in setting a course for Hawaii's sustainable future.*

*I look forward to speaking with you as again, I walk our district in the next few months. I am honored to serve as your State Representative and invite you to contact me if I may be of assistance in addressing your questions or concerns.*

*Thank you for the opportunity to work with you to keep our Hawaii special!*

*Me ke aloha pumehana,*

*Lyla Berg*

*State Representative  
18th District*

*With Rep. Berg on  
Opening Day of the  
23rd Legislature:  
son Ka'ohu, mother,  
Carmen, and brother  
Norman.*



# LEGISLATIVE SUMMARY

## State Representative Lyla Berg

Vice-Chairman, House Committee on Education

Assistant Majority Floor Leader

Member: Energy and Environment; Water, Land and Ocean  
Resources; Hawaiian Affairs; Higher Education

Hawaii State Capitol, Room 324 • Honolulu, Hawaii 96813

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## *We the People...*

In January, February, and March of this year, Representative Berg convened a series of Community Forums in Aina Haina, Kahala, and Hawaii Kai to gather input on issues of importance to District 18 and the State. Representative Berg then introduced, co-sponsored, and supported legislation in response to those concerns. Some of the legislation is described on the inside pages of this newsletter.

As expressed in the Community Forums, a sustainable island economy needs a strong-business component at its core, education for all children as the key, a clean natural environment and abundant natural resources as the foundation, and fair, open governance to build a healthy, safe and just society in which all citizens can succeed and find fulfillment.



*L to R: Freshmen Representatives Kameo Tanaka, Kyle T. Yamashita, Josh Green, M.D., Rida T.R. Cabanilla, Pono Chong, Kymberly Pine, Cliff Tsuji, Mele Carroll, Ryan I. Yamane, Lyla B. Berg, Ph.D.*

The 2005 Legislature passed a balanced budget that responds to the needs of Hawaii's people and the growing necessity to move Hawaii more deliberately toward a sustainable future. The executive Budget appropriated \$8,901,073,367 for (FY) 2005-06 and \$9,077,143,397 for (FY) 2006-07 for operating costs of the State (HB100).

**E Ho'okaua 'Oe**  
*Seek to Serve*

The vision of “self-sufficiency” must direct Hawaii’s course so that the decisions made on a daily economy with the environment. An emerging, growing commitment for coherence between economic and environmental goals. Representative Berg supported the following legislation:

## *A strong business component*

### **(HB 168) Agriculture**

Revitalizes Hawaii’s agricultural industry by appropriating funds for research and market development conducted by the Hawaii Farm Bureau Federation

### **(HB 100) Agribusiness**

Deposits funds into the Hawaii Agricultural Development Revolving Fund to assist in the growth of agricultural businesses

### **(SB 1702) High Technology**

Improves opportunities for the growth and development of the commercial industry by establishing a public not-for-profit organization to provide efficient responses to opportunities and changes in Hawaii’s technology industries

### **(HB 160) Insurance Industry**

Provides for justifiable and stable assessments by limiting assessments to be paid by insurers and discontinuing mandatory transfer of funds from CIA Fund to CRF

### **(SB 840) Income Tax Withholding**

Reduces administrative burden on businesses with State withholding tax liabilities exceeding \$40,000 annually by conforming to federal withholding provisions



*Councilwoman Barbara Marshall presenting City and County of Honolulu Certificate recognizing students from Olomano School for their participation in Project Citizen. L to R: Natalie Sur, teacher; Councilwoman Marshall; Andrew Marshall; Alysha Asia and Ashley Villanueva, students; Thomas Swan, teacher; Representative Berg.*

### **(SB 1843, SB 1127, SB 1038) Procurement Reforms**

Prohibits State from requiring a construction design contractor to indemnify State for its acts or omissions, while allowing the State to require the contractor to indemnify the State for the contractor’s negligent or intentional acts and omissions

### **(HB 155, HB 785, HB 835) Time Share Regulation Streamlining**

Supports Hawaii’s time share industry by, among other actions, providing exemptions for unnecessary regulations, authorizes foreclosure of interests under a power of sale, and reduces written disclosure requirements to material terms and conditions for agents who offer gifts to prospective purchasers

### **\*(HB 1300) Early Childhood Education**

Establishes a task force to propose a framework to improve the quality and accessibility of early childhood learning opportunities for all children from birth to 5 years

### **(SB 1643, HB 100) Charter Schools**

Clarifies and strengthens laws that govern charter schools, appropriates and ensures more equitable, stable funding for the basic operations of new century schools, allows employees to participate in state worker’s compensation system, and provides access to all federal education funds received by the State

### **\*(HB 844) Teacher Retention and Recruitment**

Implements various strategies including a Teacher Cadet Program, funding for the Hawaii Teacher Standards Board, and improving pay procedures for new hires

### **(SB 1250) Substitute Teachers**

Establishes the minimum hourly or per diem rate, requires DOE to develop classification and compensation plans, and appropriates monies for possible salary adjustments

### **(HB 1295) School Facilities**

Requires all asbestos testing to be conducted prior to any exterior or interior renovations of school facilities, except in charter schools

## *Education for all children*

### **(HB 100) Reinventing Education Act**

Continues support system reform efforts by, among other actions, providing funds for capital improvement, school repairs and maintenance, transportation and school food services, lowering teacher to student ratios in kindergarten to grade two, converting principals to a 12-month salary schedule, addressing needs of students diagnosed with autism



*Rep. Berg with King Miles Thomas and Queen Cherisse Shikada at 2005 Hahaione Cultural Day Program.*



# ability for all.

...y basis, personally and publicly, move the State deliberately toward integration of Hawaii's  
...omic vibrancy and quality of life for all are beginning to guide the actions of the Legislature.

## **\*(HCR 282) Board of Education**

Requests BOE to create policies that would allow DOE to grant school credit to the student member

## **(HB 20, SB 667) University of HI**

Appropriates funds to support programs, campus security, workforce development, Hawaiian Studies, financial aid for students, and student services to the community college

## ***Abundant natural resources and a clean environment***

### **\*(HB 1308) Legacy Land Act**

Provides a mechanism to preserve and protect valuable resource lands having natural, environmental, recreational, scenic, cultural, agricultural production or historic value to Hawaii

### **\*(HB 895) Artificial Coastal Lights**

Protects avian and marine life from disruptive effects of artificial light directly illuminating the shoreline and ocean waters

### **\*(HB 1476) Mo'okini Heiau**

Requires Dept. of Land & Natural Resources to renew efforts to acquire through land exchange, the lands adjacent to the Kohala Historical Sites State Monument



*Rep. Berg visited by colleagues Judy Saranchock, retired educator; Estelle Wong, Complex Area Superintendent; Catherine Payne, Farrington Principal.*

## **\*(HCR 200) Conservation and Resources Enforcement**

Requests a financial and management audit to address the jurisdictional, procedural, and administrative problems of DCRE. ( This Resolution was significantly reduced in scope by the Senate and in Conference Committee. The original request was for a full management audit of the Department of Land and Natural Resources)

## **(HB 422) Cruise Ship Discharges**

Offers a first legislative step in protecting Hawaii's marine ecosystem from cruise ship discharges

## **(HB 606) Net Energy Metering**

Supports decentralized electricity generation, encourages the use of renewable energy, allows PUC to increase maximum capacity for customer generators

## **(SB 1427) Alternative Fuel Vehicles**

Decreases reliance on fossil fuels by requiring State agencies to procure increasing percentages of alternative fuel vehicles

## **\*(HB 1017) Solar Energy Devices**

Removes restrictions for installing registered devices in single-family dwellings and townhouses; requires condominium associations and similar "private entities" to allow solar energy devices in common areas

## ***Fair, open governance and processes for a healthy, safe and just society***

## **(SB 527) Elderly Care**

Gives county agencies on aging more resources to procure health and human services by allowing the purchase of privileges and contracts formerly only available to state agencies

## **(HB 1317) Medicaid Prescription Drugs**

Protects the quality and range of pharmaceutical coverage received by Medicaid beneficiaries



*Rep. Berg with Thompson Family: Myron Jr., Lita (Blankenfeld), Nainoa, Laura and 2005 Social Worker of the Year, Mildred Sikkema.*

## **(SB 802) State Pharmacy Program**

Assists eligible elderly and disabled individuals in defraying the cost of prescription drugs by establishing a new program for individuals with a household income at or below 140% of the federal poverty level

## **(HB 100, SB 1816) Substance Abuse Prevention and Treatment**

Continues funding established by Act 40 to improve the process for student substance abuse cases, implements substance abuse treatment monitoring programs, and funds a task force to propose provisions for affordable healthcare insurance

## **(SB 708) Sex Offender Registry**

Enhances public safety by allowing the public reasonable access to registration information on sex offenders and persons convicted of certain offenses against children

## **\*(HB 1733) Convicted Felon DNA**

Establishes a statewide DNA data bank identification program for all convicted felons and extends the statute of limitations for prosecuting a felon by up to 10 years

## **(HB 1747) Campaign Spending**

Establishes limits to contributions, prohibits fundraising in government facilities, and contributions by any state or county contractor at any time between execution and completion of the contract, amends spending restrictions, and improves public funding laws

*\* indicates legislation authored and/or co-sponsored by Representative Berg*

Representative  
**LYLA B. BERG**  
House of Representatives

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## LAWMAKERS LISTEN

### East O'ahu Community Meeting

Tuesday, June 14, 2005 • 7:00 p.m.  
Kalani High School Cafeteria

## District 18 Schools Receive Allocation

As a former classroom teacher, middle school principal, full-time university instructor, and now as Vice-chair of the House Committee on Education, Representative Berg keeps education a top priority. During this legislative session, Representative Berg acquired **\$200,000 for the planning and design of a new gymnasium at Niu Valley Middle School**. In addition, **\$1,379,000** was allocated in the Executive Budget for **repair and maintenance projects** at the following schools:

<b>Aina Haina Elementary School</b>	<b>\$ 101,000</b>
<b>Hahaione Elementary School</b>	<b>\$ 265,000</b>
<b>Kahala Elementary School</b>	<b>\$ 134,000</b>
<b>Niu Valley Middle School</b>	<b>\$ 72,000</b>
<b>Wailupe Valley Elementary School</b>	<b>\$ 807,000</b>



*Representative Berg with Gail Anne Pottenger,  
Honolulu District Teacher of the Year.*

### Kaiser Complex Educational Forum



**Koko Head Elementary School Cafeteria**  
189 Lunalilo Home Road, Honolulu  
**Saturday, June 18<sup>th</sup> 2005**  
**9am-2pm (lunch provided)**